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BY ELECTRON

Hon. Philip M. Halpern
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Application denied.

The Clerk of Court is respectfully directed to terminate the letter motion pending at Doc. 96.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
July 11, 2025

Re: *Balchan v. New Rochelle City School District, et al.*
Case No. 7:23-cv-06202 (PMH)

Dear Judge Halpern:

This office represents the plaintiff, Dr. Brooke Balchan ("plaintiff"), in the above-referenced action. This letter shall serve to request that the Court issue a stay of the briefing schedule for defendants' motion for summary judgment pending the outcome of plaintiff's recently filed motion for reconsideration (Doc. No. 94). On July 7, 2025, the Court issued a Minute Entry directing that the parties file their respective submissions for defendants' motion for summary judgment by no later than September 15, 2025. Plaintiff proposes that a new deadline as it pertains to the summary judgment motion be set by the Court once the motion to reconsider is decided.

This request is made because plaintiff recently filed a motion, pursuant to Local Civil Rule 6.3, for the Court to reconsider its July 7, 2025, holding that certain of plaintiff's responses set forth in the Local Civil Rule 56.1 Statement of Fact, disputing defendants' asserted facts, would be deemed admitted. Staying the briefing schedule for defendants' motion for summary judgment is necessary to allow defendants time to oppose plaintiff's motion to reconsider and time for the Court to render a decision. The outcome of the motion to reconsider will have a substantial impact on the arguments made by the parties as it relates to the motion for summary judgment. Additionally, it could have a significant impact on the outcome of said motion.

In an effort to avoid this motion, plaintiff conferred with defendants regarding whether they would consent to plaintiff submitting a revised 56.1 Statement of Fact. Defendants declined. Plaintiff also inquired as to whether defendants would consent to staying the briefing schedule for their motion for summary judgment. Again, defendants declined. Defendants did not provide a reason for declining either of plaintiff's requests. This is plaintiff's first request for a stay of the briefing schedule for the summary judgment motion. Should plaintiff's request be granted, the requested extension will not prejudice any party to this action.

Thank you for Your Honor's ongoing courtesies and consideration of this matter.

Very truly yours,

GILBERT LAW GROUP

A handwritten signature in black ink, appearing to read "Jason Gilbert", written in a cursive style.

JASON ANDREW GILBERT

cc: Michael A. Miranda, Esq. (by ECF)
Richard Brian Epstein, Esq. (by ECF)
Maurizio Savoiaro, Esq. (by ECF)